



General Assembly

Twenty-first session

Medellín, Colombia, 12-17 September 2015

Provisional agenda item 8(II)(f)

A/21/8(II)(f)
Madrid, 28 July 2015
Original: English

Report of the Secretary-General

Part II: Administrative and statutory matters

(f) Status of ratification of amendments to the Statutes and to the 1947 Convention on the Privileges and Immunities of the Specialized Agencies

I. Introduction

1. In 2013, through resolution 628(XX), the General Assembly called upon Member States to ratify all the amendments to the Statutes and the Financing Rules that have not yet entered into force and requested the Secretary-General to report systematically to the General Assembly on the situation of the amendments to the Statutes and Financing Rules.
2. Further, the General Assembly requested the Secretary-General to explore the practice applied by other International Organizations in the ratification of constituent treaties that could be envisaged to improve the current situation where only one amendment out of ten has entered into force and after 28 years since its adoption by the General Assembly.
3. In addition to the above, the General Assembly also requested Member States to ratify Annex XVIII of the Convention on the Privileges and Immunities of the Specialized Agencies, 1947 (hereinafter, the "1947 Convention") relating to UNWTO and adopted by the Executive Council (decision 9(LXXXIII), pursuant to the mandate given by the General Assembly through resolution 545(XVII) in order for the Organization to be able to enjoy the privileges and immunities provided to it as a specialized agency of the United Nations.

II. Current situation of amendments to the Statutes and the Financing Rules

4. Article 33(3) of the Statutes requires, for adopted amendments to enter into force, that two-thirds of the Member States notify the Depositary Government of their approval of such amendment.
5. Since the Organization currently has 156 Full Members, amendments must be ratified by 104 Members. The list of amendments pending ratification with the number of ratifications is enclosed in the Annex to this document, together with a more detailed list that provides an overview for Members on what amendments have not been ratified by them to date.



6. Adopted amendments to two articles of the Statutes, 14 and 37, and to paragraphs 4 and 12 of the Financing Rules are being applied provisionally pending their entry into force by virtue of a decision of the General Assembly, which considered their immediate application as necessary for the correct functioning of the Organization.

7. Notwithstanding that none of the amendments that are being provisionally applied calls into question the fundamental structure of the Organization, the essential principles on which it is based, its budgetary equilibrium, the apportionment of areas of responsibility among its organs or the definition of the various categories of membership and that their immediate application was necessary and urgent for the correct operation of the Organization, it should be recalled that the renewed use of such a procedural facility would run counter to well-established principles of international law. As a matter of principle, any constitutional development should be consistent with the provisions of the Organization's constituent instrument as well as with general international law and with the Convention of Vienna on the Law of Treaties (1969). These principles have been reaffirmed by the General Assembly in several occasions through resolutions 61(III) or 521(XVIII) among others, underlining the necessity to strictly follow the process of amendment and ratification established in the Statutes.

8. The number of pending ratifications necessary for articles being provisionally applied to enter into force in accordance with Article 33(3) of the Statutes is relatively low as can be seen in the tables annexed to this document and their ratification by the required number of Members will bring legal security to their current application. The Secretary-General wishes therefore to urge Members who have not yet done so, to take all necessary measures to ratify amendments to Articles 14 and 37 of the Statutes and to paragraphs 4 and 12 of the Financing Rules.

9. Pursuant to resolution 628(XX) adopted by the General Assembly in August 2013, the Secretary-General submitted letters to all Member States to urge them to ratify the amendments to the Statutes and Financing Rules. As a result, ten more countries have ratified one or several of the amendments to the Statutes and Financing Rules while the Secretariat has been assisting 22 other countries that have requested further information on the ratification process. The Secretariat remains available to assist and provide guidance to Member States on this matter.

III. The practice of the UN agencies in constitutional development

10. As expressed several times by the General Assembly (resolutions 265(VIII), 425(XIV) or 466 (XV) or 628(XX) among others), the lengthy process of amendment to the Statutes does not allow the adaptation of the Organization to the actual will of its organs in a timely manner. While the requirement of ratification by a determined majority of the Member States (two-thirds in UNWTO) is largely applied in other UN agencies and some have even experienced longer periods than UNWTO for the entry into force of some of the amendments to their constitutions, it takes as much as 18 years on average for all of them for this process to be completed. In general terms, with the exception of two or three agencies, the slow pace for entry into force of amendments to the respective Constitutions seems to be a widespread problem for UN agencies and international organizations.

11. Some agencies have adopted a twofold approach that balances the need to preserve and protect the fundamental pillars of the organizations while providing maximum flexibility for other amendments to the Constitution. Such is the case of UNESCO, where all amendments to its Constitution enter automatically into force once they have been adopted by the General Conference except for those amendments involving fundamental alterations in the aims of the Organization or new obligations for Member States.

12. Should this option be taken into consideration, firstly the General Assembly should request the Secretary-General to constitute a working group composed of Member States under the responsibility of the Executive Council in charge of devising the matters excluded from automatic entry into force when amended, i.e., the core aspects of the Organization. As in UNESCO, these matters could be the aims of the Organization and new budgetary obligations upon Member States but also those amendments which affect the structure or membership of the Organization as is the case in UNIDO.

13. Secondly, it would be necessary to amend Article 33 of the Statutes in order to be able to apply this new procedure. The ratification of this amendment would be of utter importance for it could grant the UNWTO the legal support to complete the process of entry into force of the rest of the amendments which have not yet been ratified by two-thirds of the Members. The same working group, with the assistance of the Secretary-General, will also draft the text for the amendment envisaged as well as prepare a report explaining its consequences for the statutory texts currently in force

IV. The Convention on the Privileges and Immunities of the Specialized Agencies and Annex XVIII relating to UNWTO.

14. Since the entry into force of Annex XVIII to the Convention on the Privileges and Immunities of the Specialized Agencies relating to UNWTO on 30 July 2008, only 9 countries have acceded to it: Angola, Austria, Bulgaria, Germany, Morocco, Portugal, San Marino, Serbia and Switzerland.

15. The Convention on the Privileges and Immunities of the Specialized Agencies was adopted by the General Assembly in 2005 (resolution 489 (XVI)) and its Annex XVIII relating to UNWTO was adopted by the Executive Council in 2008 (decision 9 (LXXXIII)), pursuant to the mandate received from the General Assembly (resolution 545 (XVIII)). Both texts set out the minimum privileges and immunities to apply to UNWTO in the domestic legal systems to ensure the effective exercise of UNWTO functions in the territories of its Member States, in accordance with Article 32 of the Statutes.

16. The main categories of privileges and immunities are listed below:

(a) Immunity for the Organization from all legal process, and immunity for its officials and experts on mission in the exercise of their official acts (sections 4, 19, and 21 of the Convention). This immunity from jurisdiction prevents the UNWTO from diverting its resources into domestic legal proceedings in the individual jurisdictions of its Member States under different national laws that are not applicable to an international organization operating under International Law. At the same time, the Organization makes provision for appropriate methods of settlement of disputes such as international arbitration and has, under the 1947 Convention, a general duty to cooperate with the authorities to facilitate the proper administration of justice and prevent the occurrence of any abuses of privileges and immunities.

(b) Inviolability of UNWTO's premises, property, assets and archives (sections 5 and 6 of the Convention) and of its communications. This inviolability is an important aspect of guaranteeing the physical security of the Organization and its funds and property which have been provided by the contributions of the Member States and should therefore not be subject to interference from any national authority.

(c) Restriction from financial controls, regulations or moratoria in the holding and transfer of funds (sections 7 and 8). It is absolutely essential for the correct functioning of the Organization to have no restriction of a domestic nature on the receipt, disbursement or management of the funds that have been entrusted to the Organization by the Member States.

(d) Representatives of Member States attending UNWTO meetings are granted certain privileges and immunities and freedom of entry and exit in the territory of the country hosting the meeting, to prevent any right of veto from any country to another and to ensure that the delegates enjoy the necessary legal framework to perform their functions without any undue interference and that they can freely participate in the work of the Organization.

17. Privileges and immunities secure the independence of UNWTO's functioning and facilitate its ability to fulfil its mandate efficiently and effectively in its Member States. In general, the lack of recognition of privileges and immunities can create delays and other obstacles in delivering services in a timely and efficient manner and can impede the freedom of movement and the security necessary to the Organization and the representatives of its Members when attending the meetings convened by the Organization outside Headquarters.

18. When a UNWTO Member State is not a party to the 1947 Convention and does not apply Annex XVIII to the UNWTO, the legal protections covered by this treaty need to be addressed during negotiations before the UNWTO commences any activity in the country. This can result in delays and extensive efforts from the Secretariat in the separate negotiation of an agreement for each new project or activity that contains the protections granted under the 1947 Convention and its Annex XVIII. However, when there is a general and permanent framework, the need to address specific issues each time is avoided and arrangements for the implementation of projects can be made more efficiently.

19. As a consequence of the very few countries that have acceded to Annex XVIII to the 1947 Convention, the Secretariat is frequently placed in a very difficult situation where an activity has already been planned but the agreement with the country does not cover the necessary legal protections and therefore contravenes resolution 489(XVI) and puts the Organization at risk.

20. Most of UNWTO Member States have already acceded to the 1947 Convention but have not yet communicated to the Depository of the Convention, the United Nations Secretary-General, their intention to apply it to UNWTO. The extension of coverage to the UNWTO should not present any significant practical hurdle when the 1947 Convention has already been given effect in the domestic legal system in respect of any other UN specialized agency. Nevertheless, States have to explicitly notify their intention to apply Annex XVIII to the Treaty Section of the United Nations Office of Legal Affairs.

21. For the Member States that have not acceded to the 1947 Convention, they should explicitly notify, at the time of accession, to which agencies they will apply it. It is of utmost importance that UNWTO is included in this list.

22. The Secretariat remains available to provide any assistance or guidance as required by the Member States in the procedure of accession to the 1947 Convention or its Annex XVIII.

23. The Secretariat has developed a template agreement (attached as Annex II) for the hosting of UNWTO events outside Headquarters that includes all the necessary legal protections for the Organization, its officials, experts on mission and the representatives of the Member States participating in the event. Any State willing to host a conference or event of the UNWTO in its territory should accept the terms and conditions of the agreement before the activity is planned in order to ensure that there will be no major obstacles at the time of concluding the agreement. The terms and conditions of the agreement, particularly those on privileges and immunities, unimpeded access to and from the meeting venue for all invitees or appropriate security standards are essential conditions for the host of any UN meeting outside Headquarters. The template agreement follows the policy and practice of the United Nations and its specialized agencies.

V. Actions to be taken by the General Assembly

24. The General Assembly is invited:

- (a) To take note of the report of the Secretary-General on the situation of amendments to the Statutes;
- (b) To thank the Member States that have ratified one or several amendments or that have initiated the necessary procedure;
- (c) To urge Member States to do everything in their power to ratify all the amendments to the Statutes and the Financing Rules contained in Annex I as soon as possible;
- (d) To welcome the possibility to apply automatically adopted amendments to the Statutes or the Financing Rules, provided that they do not affect substantially the aims of the Organization, do not impose new budgetary obligations upon Member States nor affect the structure or membership of the Organization, in line with the practice of other specialized agencies of the UN system;
- (e) To request the Secretary-General to constitute a working group composed of Member States under the responsibility of the Executive Council in charge of devising the matters excluded from automatic entry into force and preparing the text of an amendment to Article 33 of the Statutes in order to adopt this practice and submit it to the next session of the General Assembly for its approval;
- (f) To call upon Member States to ratify the 1947 Convention on the Privileges and Immunities of the Specialized Agencies and to explicitly notify to the Secretary-General of the United Nations the application of Annex XVIII to UNWTO;
- (g) To remind Member States that pursuant to resolution 489(XVI) adopted by the General Assembly, the Convention on the Privileges and Immunities of the Specialized Agencies and its Annex XVIII are applicable to all operations and activities of UNWTO in the territories of its Members, and to request Member States to include a specific reference in all agreements concluded with the Organization for the execution of technical assistance projects in their territories; and
- (h) To approve the template agreement (Annex II) as the legal framework applicable to all UNWTO meetings convened outside Headquarters, and to request Member States that are interested in hosting a UNWTO event to state that they accept its terms and conditions as a requirement before the activity is decided; and
- (i) To request Member States that are interested in hosting a UNWTO meeting to provide the conditions established in the template agreement (Annex II).

Annex I. List of amendments

I. List of amendments to the Statutes and the Financing Rules adopted by the General Assembly that have not yet come to force in accordance with Article 33 of the Statutes

1. The following amendments adopted by the General Assembly since the creation of the UNWTO have not, to date, been ratified by two-thirds of the member States and thus have not entered into force in accordance with Article 33(3) of UNWTO's Statutes.

2. The amendments are presented following the chronological order of their adoption by the General Assembly. Those that are applied, by decision of the General Assembly, on a provisional basis pending their entry into force are reproduced below in italics:

A. Amendment to Paragraph 12 of the Financing Rules adopted by the General Assembly at its third session, Torremolinos, September 1979 [resolution 61(III)] the application of which is provisional, pending its entry into force:

"The Members of the Organization shall pay their contribution in the first month of the financial year for which it is due. Members shall be notified of the amount of their contribution, as determined by the Assembly, six months before the beginning of financial years in which the General Assembly is held and two months before the beginning of the other financial years. However, the Council may approve justified cases of arrears due to different financial years existing in different countries."

B. Amendment to Paragraph 13 of the Financing Rules adopted by the General Assembly at its fourth session, Rome, September 1981 [resolution 92(IV)]:

"(a) A Member which is one or more years in arrears in the payment of its contributions to the Organization's expenditure may not be elected to the Executive Council or hold offices within the organs of the General Assembly.

(b) A Member which is one or more years in arrears in the payment of its contributions to the Organization's expenditure and which has failed to explain the nature of the circumstances surrounding its failure to pay and to indicate the measures to be taken to settle its arrears shall pay a compensatory amount equal to two per cent of its arrears, in addition to said arrears.

(c) A Member which is in arrears in the payment of its financial contributions to the Organization's expenditure shall be deprived of the privileges enjoyed by the Members in the form of services and the right to vote in the Assembly and the Council if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two financial years. At the request of the Council, the Assembly may, however, permit such a Member to vote and to enjoy the services of the Organization if it is satisfied that the failure to pay is due to conditions beyond the control of the Member."

C. Amendment to Article 37 of the Statutes adopted by the General Assembly at its fourth session, Rome, September 1981 [resolution 93(IV)] the application of which is provisional, pending its entry into force:

"1. These Statutes and any declarations accepting the obligations of membership shall be deposited with the Government of Spain.

"2. The Government of Spain shall inform all States so entitled of the receipt of the declarations

referred to in paragraph 1 and of the notification in accordance with the provisions of Articles 33 and 35, and of the date of entry into force of amendments to these Statutes."

- D. Amendment to Article 14 of the Statutes adopted by the General Assembly at its fifth session, New Delhi, October 1983 [resolution 134(V)] modified at the twelfth session, Istanbul, October 1997 [resolution 365(XII)] the application of which is provisional, pending its entry into force:**

"1bis. The host State of the Headquarters of the Organization shall have a permanent additional seat on the Executive Council, which shall be unaffected by the procedure laid down in paragraph 1 above concerning the geographical distribution of Council seats."

- E. Amendment to Article 15 of the Statutes adopted by the General Assembly at its seventh session, Madrid, September-October 1987 [resolution 208(VII)]:**

"1. The term of elected Members shall be four years. Election for one-half of the membership of the Council shall be held every two years.

2. The terms of office of the Members of the Council shall not be immediately renewable upon expiration unless an immediate renewed membership is essential to safeguard a fair and equitable geographical distribution. In such a case, the admissibility of the request for renewal shall be obtained from a majority of Full Members present and voting."

- F. Amendment to Paragraph 4 of the Financing Rules adopted by the General Assembly at its fourteenth session, Seoul / Osaka, 24-29 September 2001 [resolution 422(XIV)] the application of which is provisional, pending its entry into force:**

"The budget shall be formulated in euros. The currency used for payment of contributions shall be the euro or any other currency or combination of currencies stipulated by the Assembly. This shall not preclude acceptance by the Secretary-General, the extent authorized by the Assembly, of other currencies in payment of Members' contributions."

- G. Amendment to Article 1 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:**

"The World Tourism Organization, hereinafter referred to as "the Organization", is hereby established as an international organization of intergovernmental character. It is a specialized agency of the United Nations."

- H. Amendment to Article 4 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:**

"Membership of the Organization shall be open to:

- (a) Full Members
- (b) Associate Members"

- I. Amendment to Article 5 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:**

"1. Full membership of the Organization shall be open to all sovereign States that are members of

the United Nations.

2. Such States may become Full Members of the Organization if their candidatures are approved by the General Assembly by a majority of two-thirds of the Full Members present and voting provided that said majority is a majority of the Full Members of the Organization.

3. States that have withdrawn from the Organization in accordance with the provisions of Article 35 shall have the right to become Full Members of the Organization again, without requirement of vote, on formally declaring that they adopt the Statutes of the Organization and accept the obligations of membership.”

J. Amendment to Article 6 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:

“1. Territories already holding associate membership on 24 October 2003 shall maintain the status, rights and obligations belonging to them as at such date. The list of such territories is annexed to these Statutes.

2. Members enjoying the status of Affiliates, up to at the date of entry into force of the Amendments to the present Statutes adopted on 29 November 2005 shall become as of right Associate Members at that date.

3. Associate membership of the Organization shall be open to intergovernmental and non-governmental organizations, tourism bodies without political competence subordinate to territorial entities, professional and labour organizations, academic, educational, vocation training and research institutions and to commercial enterprises and associations whose activities are related to the aims of the Organization or fall within its competence. The participation of Associate Members in the work of the Organization shall be of a technical nature, with decisions and votes being the exclusive prerogative of the Full Member.

4. Such entities may become Associate Members of the Organization provided that their requests for membership are presented in writing to the Secretary-General and that the candidature is approved by the General Assembly by a majority of two-thirds of the Full Members present and voting provided that said majority is a majority of the Full Members of the Organization. Except in the cases of international organizations, the candidatures of the entities mentioned in paragraph 3 above shall be introduced by the United Nations member State on whose territory their headquarters is located.

5. The General Assembly shall abstain from considering the candidature of such entities if their headquarters is located in a territory that is the subject of a dispute, of sovereignty or other, before the United Nations, or if their activity is related to such a territory, unless no Full Member objects to the introduction of the candidature of said entity or to its admission to the Organization.”

K. Amendment to Article 7 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:

“1. A Committee of Associate Members shall be constituted which shall establish its own rules and submit them to the Assembly for approval by a majority of two-thirds of the Full Members present and voting provided that said majority is a majority of the Full Members of the Organization. The Committee may be represented at meetings of the Organization’s organs.

2. The Committee of Associate Members shall be composed of three boards:
 - (i) a board of destinations, composed of the tourism bodies, without political competence subordinate to territorial entities;
 - (ii) an education board composed of academic, educational, vocational training and research institutions; and
 - (iii) a professional board composed of all the other Associate Members.

Intergovernmental and non-governmental organizations may participate in whichever board or boards correspond to their competences.”

L. Amendment to Article 9 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:

“1. The Assembly is the supreme organ of the Organization and shall be composed of delegates representing Full Members.

2. At each session of the Assembly each Full Member shall be represented by not more than five delegates, one of whom shall be designated by the Member as Chief Delegate.

3. Associate Members as of 24 October 2003, the list of which is annexed to the present Statutes, shall be represented by not more than five delegates, one of whom shall be designated as Chief Delegate. These delegates may participate, without the right to vote, in the work of the Assembly. They shall have the right to speak but may not participate in decision-making.

4. The Committee of Associate Members may designate three spokespersons, one representing the board of destinations, one representing the professional board and the other representing the education board, who shall participate in the work of the Assembly, without the right to vote. Each Associate Member may designate one observer, who may attend the deliberations of the Assembly.”

M. Amendment to Article 14 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 511(XVI)]:

“1. The Council shall consist of Full Members elected by the Assembly in the ratio of one Member for every five Full Members, in accordance with the Rules of Procedure laid down by the Assembly, with a view to achieving a fair and equitable geographical distribution.

2. Associate Members as of 24 October 2003 may have a spokesperson who may participate, without the right to vote, in the work of the Council. Such spokesperson may not participate in decision-making.

3. The three spokespersons of the Committee of Associate Members may participate, without the right to vote, in the work of the Council. Such spokespersons may not participate in decision-making.”

N. Amendment to Paragraph 14 of the Financing Rules adopted by the General Assembly at its sixteenth session, Dakar, October-December 2005 [resolution 511(XVI)]:

“In calculating the assessments of Associate Members, account shall be taken of the different bases of their membership and the limited rights they enjoy within the Organization.”

O. Amendment to Article 22 of the Statutes adopted by the General Assembly at its sixteenth session, Dakar, November-December 2005 [resolution 512(XVI)]:

"The Secretary-General shall be appointed by a two-thirds majority of Full Members present and voting in the Assembly, on the recommendation of the Council, for a term of four years. His appointment shall be renewable only once."

P. Amendment to Article 38 of the Statutes adopted by the General Assembly at its seventeenth session, Cartagena de Indias, November 2007 [resolution 521(XVII)]:

"The official languages of the Organization shall be Arabic, Chinese, English, French, Russian and Spanish."

II. Lists of adopted amendments to the Statutes and the Financing Rules and number of ratifications received to date.
A. General list per amendment of number of ratifications received and number of ratifications pending in order for the amendment to enter into force.

Amendment	General Assembly Session, place and date	Article	Ratified By	Pending	In Force
A/RES/61(III)	3rd Session, Torremolinos, September 1979	Paragraph 12 Financial Rules	95	9	Provisional Application
A/RES/92(IV)	4th Session, Rome, September 1981	Paragraph 13 Financial Rules	83	21	No
A/RES/93(IV)	4th Session, Rome, September 1981	Article 37 Statutes	87	17	Provisional Application
A/RES/134(V)*	5th Session, New Delhi, October 1983,	Article 14 Statutes	99	5	Provisional Application
A/RES/208(VII)	7th Session, Madrid, September-October 1987	Article 15 Statutes	68	36	No
A/RES/422(XIV)	14th Session, Seoul / Osaka, 24-29 September 2001	Paragraph 4 Financial Rules	42	62	Provisional Application
A/RES/511(XVI)	16th Session, Dakar, November-December 2005	Article 1 Statutes	16	88	No
		Article 4 Statutes	16	88	No
		Article 5 Statutes	16	88	No
		Article 6 Statutes	16	88	No
		Article 7 Statutes	16	88	No
		Article 9 Statutes	16	88	No
		Article 14 Statutes	16	88	No
		Paragraph 14 Financial Rules	16	88	No
A/RES/512(XVI)		Article 22 Statutes	17	87	No
A/RES/521(XVII)	17th Session, Cartagena de Indias, November 2007	Article 38 Statutes	55	49	No

B. Detailed list of number of ratifications received per amendment and number of ratifications pending in order for the amendment to enter into force.

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
1	Afghanistan (*)	No	No	No	No	No	No	No	No	No
2	Albania (*)	No	No	No	No	No	No	No	No	No
3	Algeria	YES	No	No	YES	No	No	No	No	No
4	Andorra	YES	YES	YES	YES	YES	YES	YES	YES	YES
5	Angola (*)	No	No	No	No	No	No	No	No	No
6	Argentina	YES	YES	YES	YES	YES	YES	YES	YES	YES
7	Armenia	No	No	No	No	No	No	YES	YES	No
8	Australia	YES	YES	YES	YES	YES	YES	No	No	YES
9	Austria	YES	YES	YES	YES	YES	YES	YES	YES	No
10	Azerbaijan	YES	YES	YES	YES	YES	No	No	No	No
11	Bahamas	YES	YES	YES	YES	YES	YES	No	No	YES
12	Bahrain	YES	YES	YES	YES	YES	YES	No	No	YES
13	Bangladesh	YES	YES	YES	YES	No	No	No	No	No
14	Belarus	YES	YES	YES	YES	YES	YES	No	No	YES
15	Benin (*)	No	No	No	No	No	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
16	Bhutan	YES	YES	YES	YES	YES	YES	No	No	No
17	Bolivia	YES	YES	YES	YES	YES	YES	No	No	YES
18	Bosnia and Herzegovina	No	No	No	No	No	No	No	No	YES
19	Botswana	No	No	No	No	No	No	No	YES	No
20	Brazil	YES	No	YES	YES	No	No	No	No	No
21	Brunei Darussalam	YES	YES	YES	YES	YES	YES	YES	YES	No
22	Bulgaria	YES	YES	YES	No	No	No	No	No	YES
23	Burkina Faso	YES	YES	No	YES	No	No	No	No	No
24	Burundi (*)	No	No	No	No	No	No	No	No	No
25	Cambodia	No	No	No	No	No	No	No	No	YES
26	Cameroon	No	No	No	YES	No	No	No	No	No
27	Cabe Verde	YES	YES	YES	YES	YES	No	No	No	No
28	Central African Republic	No	No	No	No	No	No	No	No	YES
29	Chad (*)	No	No	No	No	No	No	No	No	No
30	Chile	YES	YES	YES	YES	YES	YES	No	No	No
31	China	YES	No	YES	YES	No	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
32	Colombia	YES	YES	YES	YES	YES	No	No	No	No
33	Congo (*)	No	No	No	No	No	No	No	No	No
34	Costa Rica	YES	YES	YES	No	No	No	No	No	YES
35	Côte d'Ivoire	YES	No	No	No	No	No	No	No	No
36	Croatia (*)	No	No	No	No	No	No	No	No	No
37	Cuba	YES	No	No	No	YES	No	No	No	YES
38	Cyprus	YES	YES	YES	YES	No	YES	No	No	No
39	Czech Republic	YES	YES	YES	YES	YES	No	No	No	No
40	Democratic People's Republic of Korea	YES	No	YES	YES	YES	YES	No	No	YES
41	Democratic Republic of the Congo	No	No	No	YES	No	No	No	No	YES
42	Djibouti (*)	No	No	No	No	No	No	No	No	No
43	Dominican Republic	No	No	No	YES	No	No	No	No	No
44	Ecuador	No	No	No	YES	No	No	No	No	No
45	Egypt	YES	YES	YES	YES	No	YES	YES	YES	YES
46	El Salvador	YES	YES	YES	YES	YES	YES	YES	YES	YES
47	Equatorial Guinea	YES	YES	YES	YES	YES	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
48	Eritrea (*)	No	No	No	No	No	No	No	No	No
49	Ethiopia	YES	YES	YES	YES	No	No	No	No	No
50	Fiji (*)	No	No	No	No	No	No	No	No	No
51	France	YES	YES	YES	YES	No	No	No	No	YES
52	Gabon	YES	YES	YES	YES	No	No	No	No	YES
53	Gambia	No	No	No	YES	No	No	No	No	No
54	Georgia	No	No	No	No	No	No	No	No	YES
55	Germany	YES	YES	YES	YES	No	No	No	No	No
56	Ghana	No	No	No	No	No	No	No	No	YES
57	Greece	YES	YES	YES	YES	YES	YES	No	No	YES
58	Guatemala (*)	No	No	No	No	No	No	No	No	No
59	Guinea	No	No	No	No	No	YES	No	No	No
60	Guinea-Bissau (*)	No	No	No	No	No	No	No	No	No
61	Haiti (*)	No	No	No	No	No	No	No	No	No
62	Honduras	YES	YES	YES	YES	YES	No	No	No	No
63	Hungary	YES	YES	YES	YES	YES	YES	YES	YES	YES

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
64	India	No	No	No	No	No	No	No	No	YES
65	Indonesia	YES	YES	YES	YES	No	No	No	No	YES
66	Iran, Islamic Republic of	No	No	No	YES	No	No	No	No	No
67	Iraq	YES	YES	YES	YES	YES	No	No	No	YES
68	Israel	YES	YES	YES	YES	YES	YES	No	No	No
69	Italy	YES	YES	YES	YES	YES	YES	YES	YES	YES
70	Jamaica	YES	YES	YES	YES	YES	YES	No	No	YES
71	Japan (*)	No	No	No	No	No	No	No	No	No
72	Jordan	YES	YES	YES	YES	YES	YES	No	No	No
73	Kazakhstan (*)	No	No	No	No	No	No	No	No	No
74	Kenya	YES	YES	YES	YES	YES	No	No	No	No
75	Kuwait	YES	YES	YES	YES	YES	YES	No	No	No
76	Kyrgyzstan	No	No	No	No	No	No	No	No	YES
77	Lao People's Democratic Republic	No	No	No	YES	No	No	No	No	No
78	Lebanon (*)	No	No	No	No	No	No	No	No	No
79	Lesotho (*)	No	No	No	No	No	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
80	Liberia	No	No	No	No	No	No	No	No	YES
81	Libyan Arab Jamahiriya	YES	YES	YES	YES	No	No	No	No	No
82	Lithuania	YES	YES	YES	YES	YES	YES	YES	YES	YES
83	Madagascar	YES	YES	YES	YES	YES	No	No	No	YES
84	Malawi	No	No	No	No	No	No	No	No	YES
85	Malaysia	YES	YES	YES	YES	YES	No	No	No	YES
86	Maldives	YES	YES	YES	YES	YES	YES	No	No	No
87	Mali	YES	YES	YES	YES	YES	YES	No	No	YES
88	Malta	YES	YES	YES	YES	YES	No	No	No	No
89	Mauritania (*)	No	No	No	No	No	No	No	No	No
90	Mauritius	No	No	No	YES	No	No	No	No	YES
91	Mexico	YES	YES	YES	YES	YES	No	YES	YES	YES
92	Monaco (*)	No	No	No	No	No	No	No	No	No
93	Mongolia (*)	No	No	No	No	No	No	No	No	No
94	Montenegro	YES	YES	YES	YES	YES	YES	YES	YES	No
95	Morocco	YES	YES	YES	YES	YES	No	No	No	YES

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
96	Mozambique (*)	No	No	No	No	No	No	No	No	No
97	Myanmar (*)	No	No	No	No	No	No	No	No	No
98	Namibia (*)	No	No	No	No	No	No	No	No	No
99	Nepal	YES	YES	YES	No	No	No	No	No	No
100	Netherlands	YES	YES	YES	YES	YES	YES	YES	YES	YES
101	Nicaragua	No	No	No	YES	No	No	No	No	No
102	Niger	YES	YES	YES	No	No	No	No	No	No
103	Nigeria	No	No	No	YES	No	No	No	No	No
104	Norway (*)	No	No	No	No	No	No	No	No	No
105	Oman	YES	YES	YES	YES	YES	YES	No	No	No
106	Pakistan	YES	YES	YES	YES	YES	No	No	No	No
107	Panama	YES	YES	YES	YES	YES	No	No	No	No
108	Papua New Guinea	YES	YES	YES	YES	YES	YES	No	No	No
109	Paraguay	No	No	No	YES	No	No	No	No	No
110	Peru	YES	YES	YES	YES	YES	No	No	No	YES
111	Philippines	YES	No	No	YES	No	No	No	No	YES

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
112	Poland	YES	YES	YES	YES	YES	No	No	No	No
113	Portugal	YES	YES	YES	YES	YES	No	No	No	YES
114	Qatar	YES	YES	YES	YES	YES	YES	No	No	No
115	Republic of Korea	YES	YES	YES	YES	No	No	No	No	No
116	Republic of Moldova	YES	YES	YES	YES	YES	YES	No	No	No
117	Republic of Trinidad and Tobago (*)	No	No	No	No	No	No	No	No	No
118	Romania	YES	No	YES	YES	YES	No	No	No	No
119	Russian Federation	YES	YES	YES	YES	YES	YES	YES	YES	YES
120	Rwanda	YES	YES	YES	No	No	No	No	No	No
121	San Marino	YES	YES	YES	YES	YES	No	No	No	No
122	Sao Tome and Principe	No	No	No	YES	No	No	No	No	No
123	Saudi Arabia	YES	YES	YES	YES	No	YES	No	No	No
124	Senegal	YES	YES	YES	YES	No	No	No	No	No
125	Serbia	YES	YES	YES	YES	YES	No	No	No	YES
126	Seychelles	YES	YES	YES	YES	YES	YES	No	No	YES
127	Sierra Leone (*)	No	No	No	No	No	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
128	Slovakia	YES	YES	YES	YES	YES	YES	No	No	No
129	Slovenia (*)	No	No	No	No	No	No	No	No	No
130	South Africa	No	No	No	No	No	No	No	No	YES
131	Spain	YES	YES	YES	YES	YES	YES	YES	YES	YES
132	Sri Lanka	YES	YES	YES	YES	No	No	No	No	YES
133	Sudan (*)	No	No	No	No	No	No	No	No	No
134	Swaziland (*)	No	No	No	No	No	No	No	No	No
135	Switzerland (*)	No	No	No	No	No	No	No	No	No
136	Syrian Arab Republic	YES	YES	YES	YES	YES	YES	No	No	No
137	Tajikistan	YES	YES	YES	YES	YES	YES	YES	YES	No
138	Thailand	YES	YES	YES	YES	YES	YES	No	No	YES
139	The former Yugoslav Republic of Macedonia	No	No	No	No	No	No	No	No	YES
140	Timor-Leste	YES	YES	YES	YES	YES	YES	No	No	YES
141	Togo	YES	YES	YES	YES	YES	No	No	No	YES
142	Tunisia	YES	No	No	No	No	No	No	No	YES
143	Turkey	YES	YES	YES	YES	YES	No	No	No	No

	Full Member	Paragraph 12 FR	Paragraph 13 FR	Article 37	Article 14	Article 15	Paragraph 4 FR	Articles 1,4,5,7,9, 14 and Paragraph 14 FR	Article 22	Article 38
144	Turkmenistan	YES	YES	YES	YES	YES	No	No	No	No
145	Uganda	YES	No	No	No	No	No	No	No	No
146	Ukraine (*)	No	No	No	No	No	No	No	No	No
147	United Arab Emirates (*)	No	No	No	No	No	No	No	No	No
148	United Republic of Tanzania	YES	YES	YES	YES	YES	No	No	No	No
149	Uruguay	YES	YES	YES	YES	YES	YES	No	No	No
150	Uzbekistan	YES	No	YES	YES	YES	No	No	No	YES
151	Vanuatu (*)	No	No	No	No	No	No	No	No	No
152	Venezuela	No	No	No	YES	No	No	No	No	No
153	Viet Nam	YES	YES	YES	YES	YES	No	No	No	No
154	Yemen	YES	YES	YES	YES	YES	No	No	No	No
155	Zambia	YES	YES	YES	YES	No	No	No	No	No
156	Zimbabwe (*)	No	No	No	No	No	No	No	No	No
	Total Ratifications	95	83	87	99	68	42	16	17	55

Total number of Members: 156

Quorum needed: 104

(*) Countries that have not ratified any amendment

Annex II. AGREEMENT BETWEEN THE WORLD TOURISM ORGANIZATION (UNWTO) AND THE GOVERNMENT OF [STATE] FOR THE HOLDING OF A UNWTO [NAME AND PURPOSE OF EVENT]

AGREEMENT

between

THE WORLD TOURISM ORGANIZATION (UNWTO)

and

THE GOVERNMENT OF [STATE]

FOR THE HOLDING OF A UNWTO [NAME AND PURPOSE OF EVENT]

Relating to the holding/hosting of the UNWTO [name and purpose of event] (hereinafter, the "event/conference/...etc" or the "Meeting") in [venue, city and country] on [date/s] by the Government of [state]

Whereas the World Tourism Organization (hereinafter referred to as "UNWTO" or the "Organization"), represented by its [title and name], is a specialized agency of the United Nations and the leading public international organization in the field of tourism, with a membership encompassing 162 countries and territories and more than 400 Affiliate Members representing the private sector, educational institutions, tourism associations and local tourism authorities,

Whereas the Government of [country] (hereinafter, the ["Government"]), duly represented by its [name and title] is [interest of Government in activity];

Whereas UNWTO wishes to conduct a [conference/event] for [purpose] and the Government is willing and able to host it;

Now therefore, the parties have agreed as follows:

I

Privileges, immunities and facilities

1. Participants are invited by the Secretary-General of the Organization to attend the [conference/event]. The Secretariat shall provide in due course the names of those accepting this invitation to the authorities duly designated for this purpose by the Government, so that their travel and stay in that country can be prepared under the best possible conditions.

2. This agreement is based on Article 32 of the Statutes of the World Tourism Organization, which reads as follows: "The Organization shall enjoy in the territories of its member States the privileges and immunities required for the exercise of its functions. Such privileges and immunities may be defined by agreements concluded by the Organization", as well as on Resolution 136(V) of the fifth General Assembly of UNWTO.

3. The Convention on the Privileges and Immunities of the specialized agencies of 1947 and its Annex XVIII (hereinafter, the "Convention") adopted by the seventeenth General Assembly through resolution 545 (XVII) shall be applicable in respect of the [conference/event].

4. [when participants are representatives of UNWTO members] Participants will enjoy the privileges and immunities granted to delegates at the conferences of specialized agencies of the United Nations, as provided for under Article V of the Convention.

5. All participants and all persons performing functions in connection with the Meeting shall have the right of unimpeded entry into and exit from [country]. The Government shall take appropriate measures to facilitate the entry into, stay and departure from its territory to the participants, regardless of their nationality. The Government, as a gesture of goodwill towards the UNWTO and its Members, will, without discrimination, use their best efforts to have the necessary visas issued free of charge and without delay.

6. The Secretary-General of the Organization shall be accorded the privileges and immunities, exemptions and facilities granted to heads of diplomatic missions, as provided for under Article VI of the Convention.

7. The Organization's officials will also enjoy the privileges and immunities granted for the conferences of specialized agencies of the United Nations, as provided for under Articles VI and VIII of the Convention

6. Without prejudice to the provisions of the Convention, all participants and persons performing functions in connection with the Meeting shall enjoy such privileges and immunities, facilities and courtesies as are necessary for the independent exercise of their functions in connection with the Meeting.

II

Conditions for organizing the [Conference/Event]

1. The [Conference/Event] will be held at [venue, city and country], from [date] to [date].

2. The Government shall provide the Organization for the purposes of this [Conference/Event] with staff, offices, interpretation equipment, office furnishings and reproduction equipment for the documents required during the [Conference/Event], as enumerated in Annex I which is an integral part of this Agreement. These in-kind donations are valued at their fair value, listed in Annex II, at the date of conclusion of this agreement. Unless otherwise agreed, the goods in kind will return to the corresponding providing party upon completion of the project¹.

3. The Government shall indemnify and hold harmless the Organization in respect of any action, claim or demand for any injury or damage that might occur to the persons or facilities provided by the Government except where such injury or damage is caused by the gross negligence or wilful misconduct of the Organization or its officials.

¹ Only applicable if either or both parties are contributing to the project with goods or services in kind not remunerated by project funds

4. The Conference room, offices and other premises made available by the Government shall constitute the conference area and shall be considered as premises of UNWTO during the [Conference/Event], for the duration of any additional period necessary to prepare and to conclude the operations of the same.

5. The parties may agree to external sponsorship of the meeting/conference/event with a view to enhancing its quality and improving its organization. Any sponsorship arranged by either party, including all its terms, shall be subject to the express agreement, in writing, of the other party.

6. Considering the mandatory security standards required by the United Nations Department of Safety and Security (UNDSS), the Government shall take the necessary measures to ensure the safety and security of the delegates, staff and visitors participating in the event. The Host country will provide protection to ensure the effective functioning of the event in an atmosphere of security and tranquillity, free from any security disruption, including the following procedures:

- Verify the event's locations (Hotel/Accommodation & event's venue) and perimeter, check the security materials and their good using-order, as well as checking the personnel needed in order to draw-up the Security Plan.
- Check that all valid security measures for the fire, emergency exits, etc. are in force and being carried out at the location and its perimeter.
- Designate a Responsible for Security so that the Security Department at UNWTO can liaise with him/her at all times.
- Take all necessary measures for the participants' security at all times, especially in the case of VIPs (pick-up, transfers and placing).
- Implement a correct access system for the event's location. Distribute relevant security information to participants. This information should cover basic security norms to be followed in the case of emergencies (evacuation plan), indicating emergency routes and exits, the location of the medical facilities, relevant emergency numbers, and others.

If the security requirements established by the UNDSS provide for a Memorandum of Understanding to be signed, such Memorandum shall be attached as an Annex to this Agreement and duly accepted by both parties.

7. Any use of the name and/or emblem, flag or abbreviation of the name of the Organization in connection with the [Conference/Event] shall be subject to prior request to the Organization and written authorization from the Secretariat, including the terms and conditions for the use of UNWTO signs.

8. Any amendment to this Agreement or to any Annex hereto shall be effected by mutual agreement of the parties through an appropriate supplementary letter of agreement.

9. Any dispute, controversy or claim arising out or in connection with this Agreement or any breach thereof, shall, unless it is settled by direct negotiation, be settled by arbitration in accordance with UNCITRAL Arbitration Rules. The parties agree to be bound by any arbitration award rendered in accordance with this provision as the final adjudication of any dispute.

10. Nothing in or relating to this Agreement shall be deemed to represent a waiver of the Privileges and Immunities of UNWTO.

Done in [place] on [date] in [Option 1] (one language, being an official language of the Organization) [language]

[Option 2] (more than one language, one being an official language of the Organization and the other not) [language] and [language], the version in [official language of the Organization] taking precedence in the event of a conflict between the two versions.

[Option 3] (more than one language, both being official languages of the Organization) in [language] and [language], the version in [language used for the draft and verification] taking precedence in the event of a conflict between the two versions.

For the Government

For the World Tourism Organization

.....
Name
Title

.....
Mr. Taleb Rifai
Secretary-General

(Place), (date)

(Place), (date)

ANNEX I

A. FACILITIES AND SERVICES TO BE PROVIDED BY THE GOVERNMENT

I. PREMISES AND EQUIPMENT

1. The Government shall provide the premises, facilities and equipment listed below:

[INSERT requirement for conference rooms, offices, interpretation, printers/computers, registration desk, etc...]

II. LOCAL STAFF RESPONSIBLE TO THE UNWTO

1. The Government shall provide to UNWTO the services of the following local staff:

[INSERT requirement for interpreters, assistants, technicians, etc...]

III. SERVICES TO BE PROVIDED TO ALL PARTICIPANTS AND UNWTO STAFF

1. The Government shall provide the following services to all participants and UNWTO Staff:

[INSERT requirement for transport, accommodation, maximum kg for transport of supplies, reception and transfer transport, transport between airport and hotels and between hotels and site of meeting, transport to social events, etc...]

IV. OTHER SERVICES

1. The Government shall provide directly the following services:

[INSERT requirement for hotel blocking, reservation, business center, water/coffee/tea service, lunch, social programme]

B. SERVICES TO BE PROVIDED BY UNWTO

I. PARTICIPATION IN THE [CONFERENCE/EVENT]

II. LOGISTICS OF THE [CONFERENCE/EVENT]

1. All photographs or videos taken during the Event will be the exclusive property of UNWTO and will be used by the Organization for official purposes

III. CONTENT

IV. DOCUMENTATION

ANNEX II. In-kind donations

The following table shows the in kind donations to be provided to the [Conference/event] by the Organization and by [acronym] together with their fair value at the date of the conclusion of this agreement.

In kind donations to be provided to the project by the (acronym)						
Description	N° of Units	Output	Activity	Fair value (currency)	Delivery Date	To be returned
a) Property, Plant & Equipment xxx <i>Sub total</i>						
b) Intangible Assets xxx <i>Sub total</i>						
c) Travel Expenses Air fare Hotel Accommodation & Other Travel Expense <i>Sub total</i>						
d) Right to Use Premises/Venues xxx <i>Sub total</i>						
e) Other Goods and Services xxx <i>Sub total</i>						
Total						
In kind donations to be provided to the project by the UNWTO						
Description	N° of Units	Output	Activity	Fair value (currency)	Delivery Date	To be returned
a) Property, Plant & Equipment xxx <i>Sub total</i>						
b) Intangible Assets xxx <i>Sub total</i>						
c) Travel Expenses Air fare Hotel Accommodation & Other Travel Expense <i>Sub total</i>						
d) Right to Use Premises/Venues xxx <i>Sub total</i>						
e) Other Goods and Services xxx <i>Sub total</i>						
Total						